

semiannual, or other regular periodic report listed in House Document No. 103-7 (in which reports required under subsecs. (a) and (b) of this section are listed as the 20th item on page 84 and the 19th item on page 86), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

§ 12007. No antitrust immunity or defenses

Nothing in this chapter shall be deemed to convey to any person, partnership, corporation, or other entity immunity from civil or criminal liability under any antitrust law or to create defenses to actions under any antitrust law. As used in this section, “antitrust laws” means those Acts set forth in section 12 of title 15.

(Pub. L. 101-218, § 10, Dec. 11, 1989, 103 Stat. 1869.)

CHAPTER 126—EQUAL OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES

- Sec.
12101. Findings and purpose.
12102. Definitions.
- SUBCHAPTER I—EMPLOYMENT
12111. Definitions.
12112. Discrimination.
12113. Defenses.
12114. Illegal use of drugs and alcohol.
12115. Posting notices.
12116. Regulations.
12117. Enforcement.

SUBCHAPTER II—PUBLIC SERVICES

PART A—PROHIBITION AGAINST DISCRIMINATION AND OTHER GENERALLY APPLICABLE PROVISIONS

12131. Definitions.
12132. Discrimination.
12133. Enforcement.
12134. Regulations.

PART B—ACTIONS APPLICABLE TO PUBLIC TRANSPORTATION PROVIDED BY PUBLIC ENTITIES CONSIDERED DISCRIMINATORY

SUBPART I—PUBLIC TRANSPORTATION OTHER THAN BY AIRCRAFT OR CERTAIN RAIL OPERATIONS

12141. Definitions.
12142. Public entities operating fixed route systems.
12143. Paratransit as a complement to fixed route service.
12144. Public entity operating a demand responsive system.
12145. Temporary relief where lifts are unavailable.
12146. New facilities.
12147. Alterations of existing facilities.
12148. Public transportation programs and activities in existing facilities and one car per train rule.
12149. Regulations.
12150. Interim accessibility requirements.

SUBPART II—PUBLIC TRANSPORTATION BY INTERCITY AND COMMUTER RAIL

12161. Definitions.
12162. Intercity and commuter rail actions considered discriminatory.
12163. Conformance of accessibility standards.
12164. Regulations.
12165. Interim accessibility requirements.

SUBCHAPTER III—PUBLIC ACCOMMODATIONS AND SERVICES OPERATED BY PRIVATE ENTITIES

12181. Definitions.
12182. Prohibition of discrimination by public accommodations.

- Sec.
12183. New construction and alterations in public accommodations and commercial facilities.
12184. Prohibition of discrimination in specified public transportation services provided by private entities.
12185. Study.
12186. Regulations.
12187. Exemptions for private clubs and religious organizations.
12188. Enforcement.
12189. Examinations and courses.

SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

12201. Construction.
12202. State immunity.
12203. Prohibition against retaliation and coercion.
12204. Regulations by Architectural and Transportation Barriers Compliance Board.
12205. Attorney's fees.
12206. Technical assistance.
12207. Federal wilderness areas.
12208. Transvestites.
12209. Instrumentalities of Congress.
12210. Illegal use of drugs.
12211. Definitions.
12212. Alternative means of dispute resolution.
12213. Severability.

§ 12101. Findings and purpose

(a) Findings

The Congress finds that—

(1) some 43,000,000 Americans have one or more physical or mental disabilities, and this number is increasing as the population as a whole is growing older;

(2) historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem;

(3) discrimination against individuals with disabilities persists in such critical areas as employment, housing, public accommodations, education, transportation, communication, recreation, institutionalization, health services, voting, and access to public services;

(4) unlike individuals who have experienced discrimination on the basis of race, color, sex, national origin, religion, or age, individuals who have experienced discrimination on the basis of disability have often had no legal recourse to redress such discrimination;

(5) individuals with disabilities continually encounter various forms of discrimination, including outright intentional exclusion, the discriminatory effects of architectural, transportation, and communication barriers, overprotective rules and policies, failure to make modifications to existing facilities and practices, exclusionary qualification standards and criteria, segregation, and relegation to lesser services, programs, activities, benefits, jobs, or other opportunities;

(6) census data, national polls, and other studies have documented that people with disabilities, as a group, occupy an inferior status in our society, and are severely disadvantaged socially, vocationally, economically, and educationally;

(7) individuals with disabilities are a discrete and insular minority who have been faced with restrictions and limitations, sub-